REMARKS:

In accordance with the foregoing, claims 1, 2 and 8-15 have been amended for clarification, and new claim 16 has been added. No new matter has been added. Thus, claims 1-16 are pending and under consideration.

REJECTION UNDER 35 U.S.C. §103(a):

In item 3 of the outstanding Office Action, claims 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,477,533 ('533) in view of U.S. Patent No. 5,948,040 ('040).

'533 is directed to a system of maintaining client relationships by defining temporal relationships between customers and agents where the type and quantity of activities performed by the agents is evaluated to assign a period of time of ownership of customers to minimize the time and effort spent on finding cruise packages that best fits a customer.

'040 discusses a system to enable input of selectable travel origin, destination, and waypoints to compute travel routes, including available transportation services, costs, options, and schedules related to travel to specified locations to allow users to engage in the planning process.

The present application discloses a system for accepting a transaction reservation where bargain data is presented reflecting time dependent changes.

The Examiner compares the '533 system for maintaining client-agent relationships that allows the client to select from different criteria related to booking cruises with the present application's system for accepting a transaction reservation reflecting time dependent changes of discount services. In the '533 system, selectable criteria including cabin occupancy, sailing date preferences, cruise destination, cruise duration, cruise line selection, cruise ship selection, is provided to the customer (see, column 20, lines 41-44 of '533). The '533 cruise booking process then receives cruise reservation/booking information based on the customer's selection, and books the corresponding cruise package (see, column 12, lines 17-23 of '533). Thus, the cruise line information provided to the customer is fixed information that does not accommodate time dependent conditions, especially those that are temporary, and requires the cruise lines to individually modify each information related to the cruise packages to accommodate time dependent conditions. This does not teach or suggest the system of the present application

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where bargain data is presented including time dependent changes where changes are flexibly made to reflect time dependent conditions without engaging in laborious tasks including uploading and removing information.

The present application provides a system and method that allows providers of goods and/or services to present "discount services defined for each time period reflecting temporarily changing conditions of the discount services" (see, amended claim 1 and FIG. 3 of the present application). As also recited in amended claims 2, 8, 9, 10, 11, 12 and 15, the method includes "determining terms for a transaction of a transaction target for each time period reflecting temporarily changing conditions of the terms for the transaction " (see, claims 2, 8, 9, 10, 11, 12 and 15 of the present application). This enables the system of the present application to provide offers to customers including those that are time dependent, which is not offered by the '533 system.

The Examiner acknowledges that the '533 system does not disclose that discounts are related to the time period that the reservation is made for, but relies on the '040 system as providing the same. The '040 system generates outputs in response to user input inquiries configured around the common-sense travel issues of where, what/who, and when (see, column 16, lines 60-65 of '040) to assess, for example, time of day or night and/or seasonal factors related to travel to specified locations or engaging in certain activities (see, column 23, lines 49-56 of '040). This means that the '040 system merely presents static factors available at the time the reservation is made and does not teach or suggest a method of presenting discount services for "each time period" to flexibly allow the provider of the service and/or goods to provide temporarily changing conditions with respect to what is being offered.

Further, the Examiner asserts that the disclosure of custom packages in '533 implies that special discounts and sailing dates are related variables to the overall package. However, unlike the '533 that allows the customer to individually customize variables related to the overall package (see, column 1, lines 21-26 of '533), the present application provides a system where bargain data "reflecting temporary time dependent changes" is presented to numerous customers without the need to individually modify what is offered to provide efficient service to the customers by accordingly reflecting temporary offers.

The combination of the '533 and the '040 system provides a system of maintaining client relationships by defining temporal relationships between customers and agents where a menu is provided to the customer including available transportation services, costs, options, and

schedules related to travel to specified locations available at the time of inquiry to allow users to engage in the planning process.

For at least the above discussed reasons, dependent claims 3-7 depending from independent claims 1, 2, 8-15 are patentably distinguishable from the cited references. For example, dependent claim 5 recites "determining discount services for the reserved transaction, which has been confirmed to be accepted based on terms for the transaction" and "offering the determined discount services based on the confirmed reserved transaction". This allows the system of the present application to determine and present terms for a transaction for each time period reflecting temporarily changing conditions and offering the determined discount services upon determining confirmation of reserved transaction.

Accordingly, withdrawal of the outstanding rejection is respectfully requested.

NEW CLAIM:

New claim 16 has been added and recites "determining and displaying terms for a transaction based on varied time periods reflecting temporarily changing conditions of the terms for the transaction" where a reservation is accepted when the selected time period is within the varied time periods reflecting temporarily changing conditions of the terms for the transaction. This allows a provider of goods/service to accommodate temporarily changing conditions having an impact on what is offered to customers without the need to repeatedly change the conditions of the offer each time a change occurs. Therefore, claim 16 is patentably distinguishable over the cited references.

CONCLUSION:

In accordance with the foregoing, claims 1, 2 and 8-15 have been amended, and new claim 16 has been added. Thus, claims 1-16 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.
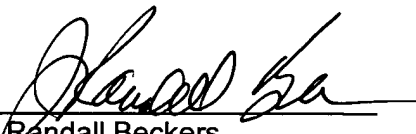
If there are any additional fees associated with filing of this Amendment, please charge

the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: _____7/6/4_____   By: _____

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